

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Sanction of an amount of Rs.55,000/- towards appearing, arguing and preparing written arguments including to and fro Air Travel and stay at vizag and clerkage & Misc. expenses in the case of M/s. Clough Engineering, Rajahmundry - Orders – Issued.

REVENUE (CT.IV) DEPARTMENT

G.O.Rt.No. 1261

Dated.24.8.2009.
Read

From the CCT, Ref. No. LII (1)/1048/08, dt. 27-2-09

ORDER:

In the letter read above the Commissioner of Commercial Taxes, Hyderabad has stated that, the State Representative before Sales Tax Appellate Tribunal, Visakhapatnam has informed that M/s. Clough Engineering, Rajahmundry, who executed works of ONGC Ltd was assessed to tax for the Tax periods from April, 2005 to November, 2006 by the Asst.Commissioner (CT) (LTU), Kakinada in VAT 305, dt.12.3.2007. Against the said proceedings disputing the levy of tax of Rs.53,71,68,652/- the assessee preferred an appeal before the Appellate Dy. Commissioner (CT), Visakhapatnam who disposed off the appeal by remanding the case to Assessing Authority vide Appeal order dt.18.7.2007.

2. The Commissioner of Commercial Taxes, Hyderabad has further stated that the dealer has preferred second round of appeal before the A.D.C. (CT), Visakhapatnam disputing the levy of tax (for the period April, 2005 to Nov'2006) of Rs.10,72,82,857/-. The Appellate Dy.Commissioner (CT) Visakhapatnam has disposed off the appeal by dismissing the same on 22.3.2008. Aggrieved by the dismissal orders of the Appellate Deputy Commissioner (CT), Visakhapatnam, the appellant preferred an appeal before the STAT, Visakhapatnam and the same was pending adjudication in T.A. No.241/08.

3. As the revenue involved in this appeal was very high i.e Rs.10,72,82,857/- and to protect the State Revenue, the Commissioner (CT) has engaged the services of Sri K.Raji Reddy, Special Standing Counsel for Taxes to appear before the STAT, Visakhapatnam on 29.9.2008 and argue the case on behalf of the Department.

4. Sri K.Raji Reddy, Special Standing Counsel for Taxes appeared and argued the case on 7.11.2008 before the STAT, Visakhapatnam and he has submitted the fee bill for Rs.55,000/- which includes professional charges for consultation, conference, appearing, arguing and preparing written arguments in the above case before STAT, Vizag Bench on 7.11.2008 including to and fro Air Travel and stay at Vizag including clerkage & Misc. expenses. Therefore the Commissioner of Commercial Taxes has requested the Government orders for sanction for the Fee of Rs.55,000/- (Rupees Fifty Five Thousand only) to Sri K.Raji Reddy, Special Standing Counsel for Taxes, A.P.High court, Hyderabad and also ratify the action of the Commissioner of Commercial Taxes in engaging the services of Sri K.Raji Reddy, Special Standing Counsel for Taxes to protect the State Revenue.

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5. In view of the above circumstances the Government after careful examination hereby accord administrative sanction for payment to Sri K.Raji Reddy, Special Standing Counsel for Taxes, A.P. High Court, Hyderabad for an amount of Rs. 55,000 /- (Rupees Fifty Five thousand only), towards appearing, arguing and preparing written arguments in the case including to and fro Air Travel and stay at vizag and clerkage & Misc. expenses. Government also ratify the action of the Commissioner of Commercial Taxes in engaging the services of Sri K.Raji Reddy, Special Standing Counsel for Taxes in the above case to protect the State Revenue.

6. This order issues with the concurrence of Finance Department vide their U.O.No.18267/270/A2/(R&E)/09, dt.17.07.2009.

7. The Commissioner of Commercial Taxes, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes, Hyderabad.
The Pay & Accounts Officer, A.P.Hyderabad.
The Accountant General,A.P.Hyderabad.
Copy to:-
The Finance (Expr.Rev.)Department.
The Law (L) Department.
SF/SC.

//FORWARDED BY ORDER //

SECTION OFFICER